

Animal Defenders International

Media Briefing on ADI Amendments to the Animal Welfare Bill:
Executive Summary

Please see our full briefing: *Animal Circuses and the Animal Welfare Bill*, on our website: www.ad-international.org

ADI has tabled several amendments to the Animal Welfare Bill, covering our key issue of the prohibition of the use of animals in travelling circuses, as well as violence during training, and prohibitions on the use of specific species in specific circumstances. Our amendments are:-

NC9: Animals in Circuses. Page 2, after clause 3 insert –

”Circus Animals”

To move the following Clause:-

"(1) No person shall carry on the activity of training, keeping or using an animal for the purposes of, or as part of, a circus.

(2) A person commits an offence if he contravenes subsection (1).".

Supporting Evidence:

ADI has provided MPs with 10 years of evidence of suffering in circuses (see the full briefing and www.ad-international.org). Public opinion favours a ban:-

A 2005 Mori Poll showed that:

- 65% say ban all animal circus acts.
- 80% say ban all wild animal circus acts.
- 90% against whipping and beating when training circus animals.
- Only 7% strongly opposed the calls for bans
- More than twice as many people now visit animal-free circuses as opposed to those with animals.
- In the last 5 years, attendance at animal-free circuses has risen from 6% to 16%.
- Animal circuses remain slumped at 7% attendance.
- The most popular forms of animal entertainment attended are aquariums (50% of respondents), zoos (39%), safari parks (22%).

A 2004 NOP opinion poll revealed:

- 63% of the public wanted to see all animal acts banned from circuses.
- Only 8% disagreed.

A survey of 318 local authorities, found that:

- 39% had banned all animal acts
- 17% had banned just wild animal acts
- 21.5% said they never received requests from circuses with animals

- 22.5% continued to allow animal circuses. Banning the use of animal acts from circuses has been tested politically, and enforced on local authority land.

191: Violence in Training. Clause 4, Unnecessary Suffering, page 3, line 1–

Leave out paragraph (d) – “(d) whether the suffering was proportionate to the purpose of the conduct concerned”

Supporting Evidence:

- This paragraph refers to a potential defence at a cruelty trial, beyond “reasonable”.
- It has no place in an Animal Welfare Bill, and drives a coach and horses through all the protection that the Bill aims to provide.
- It has been added since the Draft Bill.
- It provides an automatic defence on the face of the Act for those who are violent to animals during training.
- It legitimises violence to animals.

192 - Clause 8, page 4, line 26

Duty of person responsible for animal to ensure welfare–

Leave out subsection (3)–

“(3) The circumstances to which it is relevant to have regard when applying subsection (1) include, in particular–

- (a) any lawful purpose for which the animal is kept, and
 (b) any lawful activity undertaken in relation to the animal”

Supporting Notes:

- This has been added since the Draft Bill.
- It is a potential defence against cruelty charges. It favours industry over animal welfare.
- This should be deleted in favour of consistency of animal protection standards for all species, whatever the industry they are used in.
- It negates the protection that the Bill aims to provide.

193: Clause 10, Regulations. Page 5, line 27, at end insert–

Insert our new paragraphs–

"(d) make provision regarding the treatment of animals which have been abandoned, including power to authorise that such animals be taken into possession by a local authority or a body with functions relating to the care of animals;

(e) make provision for prohibiting the keeping of animals of a specified kind in specified circumstances;

(f) make provision for prohibiting the use of animals of a specified kind for a specified purpose.

(g) make provision that where an authorised person considers that animals are being kept in a way which is likely to cause unnecessary pain, suffering or injury, or in which their needs are not being met in contravention of section 8, he may serve a

notice on the person appearing to him to be in charge of, or responsible for, the animals requiring that person, within the period stated in the notice, to take any action that the authorised person considers to be reasonably necessary to ensure compliance with the provisions of this Act and the authorised person shall give his reasons for requiring that action to be taken.

In this paragraph "an authorised person" means a person authorised by the Secretary of State or by the local authority."

Supporting Evidence:

- Changes since the Draft Bill: Paragraphs (l) and (m) in the Draft Bill have been removed, which provided for prohibitions on uses of animals in specified circumstances.
- This amendment puts those provisions back into the Bill.
It is absolutely essential that an Animal Welfare Bill allows for the prohibition of the use of specific species in specific circumstances, on grounds of welfare.
- Clause 25 of the Scottish Bill provides for regulations to be made prohibiting the keeping of a specified type of animal at domestic or any other form of premises.

190: Animals to which the Act applies. Clause 1, page 1, line 4, at end insert–

"and an invertebrate of the class cephalapoda and an invertebrate of the class decapoda."

Supporting Evidence:

- Inclusion of these classes of invertebrates would bring this Act in line with the Animals (Scientific Procedures) Act 1986, which was subsequently amended to include cephalapods, based upon scientific evidence.
- It would also bring the Act in line with other legislation, abroad.

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